

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Elisa Vitale, Case Manager
 Joel Lawson, Associate Director Development Review
DATE: October 22, 2013

SUBJECT: BZA Case 18643 - request for special exception relief under § 223 to construct a detached garage at 119 12th Street SE.

I. OFFICE OF PLANNING RECOMMENDATION

The Office of Planning (OP) recommends **approval** of the following special exception relief pursuant to § 223:

- § 403.2, lot occupancy (60% permitted, 70% proposed).

II. LOCATION AND SITE DESCRIPTION:

Address:	119 12 th Street SE
Legal Description:	Square 0989, Lot 0050
Ward:	6
Historic District:	Capitol Hill Historic District
Lot Characteristics:	Rectangular lot bounded on the north and west by a 30-foot wide public alley and on the east by 12 th Street SE.
Zoning:	R-4 – detached, attached, semi-detached, single family dwellings and flats.
Existing Development:	One-family detached dwelling, permitted in this zone.
Adjacent Properties:	Apartment building to the south and attached row dwellings to the east, west, and north.

III. PROJECT DESCRIPTION IN BRIEF

Applicant:	Jennifer Fowler, architect, on behalf of Jonas Stiklorius, owner.
Proposal:	The applicant is proposing a one-story detached garage that does not comply with the maximum lot occupancy.
Relief Sought:	§223 - Addition to a One-Family Dwelling or Flat

IV. ZONING REQUIREMENTS

R-4 Zone	Regulation	Existing	Proposed ¹	Relief:
Lot Width (ft.) § 401	18 ft. min.	18 ft.	18 ft.	None required
Lot Area (sq. ft.) § 401	1,800 sq. ft. min.	2,115 sq. ft.	2,115 sq. ft.	None required
Floor Area Ratio § 401	None prescribed			None required
Lot Occupancy § 403	60 % max.	62 %	70 %	10 %
Rear Yard (ft.) § 404	20 ft. min.	44 ft. 5 in.	44 ft. 5 in.	None required

V. OP ANALYSIS:

223 ZONING RELIEF FOR ADDITIONS TO ONE-FAMILY DWELLINGS OR FLATS (R-1) AND FOR NEW OR ENLARGED ACCESSORY STRUCTURES

223.1 *An addition to a one-family dwelling or flat, in those Residence districts where a flat is permitted, or a new or enlarged accessory structure on the same lot as a one-family dwelling or flat, shall be permitted even though the addition or accessory structure does not comply with all of the requirements of §§ 401, 403, 404, 405, 406, and 2001.3 shall be permitted as a special exception if approved by the Board of Zoning Adjustment under § 3104, subject to the provisions of this section.*

Single-family detached homes are a permitted use in this zone. The Applicant is requesting special exception relief under § 223 from the requirements of §§ 403 to construct a one-story detached garage. The existing single-family residence is not in conformance with the maximum permitted lot occupancy (60 % permitted; 62 % existing).

223.2 *The addition or accessory structure shall not have a substantially adverse affect on the use or enjoyment of any abutting or adjacent dwelling or property, in particular:*

(a) *The light and air available to neighboring properties shall not be unduly affected;*

The property to the north at 117 12th Street SE is separated from the subject property by a 30-foot alley. There is an existing apartment building at the property to the south (121 12th Street SE), which is setback 13 feet 6 inches from the shared property line. To the west of the subject property are the rear yards and garages of the properties that front 11th Street SE, which are also separated from the subject property by a 30-foot alley. There are no at risk windows at either of the adjoining properties. The proposed addition should not adversely affect the light and air available to neighboring properties.

(b) *The privacy of use and enjoyment of neighboring properties shall not be unduly compromised;*

The proposed garage should not unduly compromise the privacy of use and enjoyment of neighboring properties. The garage would not be inhabited and windows are not proposed for the elevations facing the property to the north at 117 12th Street SE or the property to the south at 121 12th Street SE. To the west, the proposed garage would be separated from the neighboring properties by the 30-foot alley, as well as existing rear yard setbacks. The proposed garage would be similar in style and scale to existing garages on the alley.

¹ Information provided by applicant.

- (c) *The addition or accessory structure, together with the original building, as viewed from the street, alley, and other public way, shall not substantially visually intrude upon the character, scale and pattern of houses along the subject street frontage; and*

The proposed garage would not be visible from 12th Street SE but would be visible from the alleys to the north and west of the subject property. The proposed garage would be constructed of brick and would be similar in scale, massing and materials to existing detached garages in the surrounding neighborhood. The proposed garage should not negatively impact the character, scale and pattern of houses as seen from the alley. The square is dense and many properties have existing detached garages that abut the alley. Historic Preservation Office staff did not identify any issues with the proposal.

- (d) *In demonstrating compliance with paragraphs (a), (b) and (c) of this subsection, the applicant shall use graphical representations such as plans, photographs, or elevation and section drawings sufficient to represent the relationship of the proposed addition or accessory structure to adjacent buildings and views from public ways.*

The submission provided sufficient information about this proposal.

- 223.3 *The lot occupancy of all new and existing structures on the lot shall not exceed fifty percent (50%) in the R-1 and R-2 Districts or seventy percent (70%) in the R-3, R-4, and R-5 Districts.*

The proposed lot occupancy of 70% does not exceed the maximum (70%) permitted in the R-4 district.

- 223.4 *The Board may require special treatment in the way of design, screening, exterior or interior lighting, building materials, or other features for the protection of adjacent and nearby properties.*

No special treatment is recommended.

- 223.5 *This section may not be used to permit the introduction or expansion of a nonconforming use as a special exception.*

No nonconforming use would be established under this proposal.

VI. COMMUNITY COMMENTS

The official ANC position had not been received at the time this report was written. Letters of support were received from the property owners at 116 11th Street SE, 122 12th Street SE, 121 12th Street SE, and 120 11th Street SE.

VII. COMMENTS OF OTHER DISTRICT AGENCIES

Comments from other District agencies had not been received at the time this report was written.

Attachments:

1. Location map

